


[Print Face Sheet](#)
[Print Current Case Summary](#)
[< Return](#)
[Incident Review](#)
[Investigation](#)

## Reporting Category

Category	Subcategory	Situation	Victim/Offender Armed?	Weapon Types	Weapon Other	Weapon Recovered?	Deceased?
05B EXCESSIVE FORCE / ON DUTY - NO INJURY	-	DURING ARREST	-	-	-	-	-

row(s) 1 - 1 of 1

Log No: 1033688 Type:CR

## Accused Members

Review Name	Status	Accused Overall Finding	Recommended Penalty	No. of Days	Date/Time Served	Created Date	Complimentary History
<a href="#">View</a> GUZMAN, DAVID	CLOSED/FINAL	UNFOUNDED	-	-	-	05-FEB-2010	N/A
<a href="#">View</a> Unknown	CLOSED/FINAL	NO AFFIDAVIT	-	-	-	28-APR-2011	N/A

row(s) 1 - 2 of 2

## Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content?	Approve Inclusion?
<a href="#">View</a> 1	FACE SHEET	N/A	-	-	-	DOUGLAS, KHRYSTL	FEB-05-2010 17:07	-	-	-
<a href="#">View</a> 2	CONFLICT CERTIFICATION	N/A	-	-	-	OLVERA, MARIA	FEB-09-2010 09:10	-	-	-
<a href="#">View</a> 3	CONFLICT CERTIFICATION	N/A	-	-	-	KOBEL, DANIEL	FEB-09-2010 10:47	-	-	-
<a href="#">View</a> 4	ARREST REPORT	N/A	6	[REDACTED]	-	CULBERSON HAYNE, ANGELA	FEB-10-2010 08:32	APPROVED	-	YES
<a href="#">View</a> 5	PHOTOGRAPH	N/A	1	CB Photo of [REDACTED]	-	CULBERSON HAYNE, ANGELA	FEB-10-2010 08:33	APPROVED	-	YES
<a href="#">View</a> 6	CHICAGO POLICE DEPARTMENT EVENT QUERY	N/A	1	-	-	CULBERSON HAYNE, ANGELA	FEB-10-2010 08:33	APPROVED	-	YES
<a href="#">View</a> 7	MIRANDA WARNINGS	N/A	1	Victim-[REDACTED]	-	CULBERSON HAYNE, ANGELA	FEB-10-2010 08:34	APPROVED	-	YES
<a href="#">View</a> 8	COMPLAINANT STATEMENT	OTHER INV. PARTY - [REDACTED]	4	-	YES	KOBEL, DANIEL	FEB-09-2010 10:47	APPROVED	-	YES
<a href="#">View</a> 9	SWORN AFFIDAVIT FROM COMPLAINANT	OTHER INV. PARTY - [REDACTED]	1	-	YES	KOBEL, DANIEL	FEB-09-2010 10:48	APPROVED	-	YES
<a href="#">View</a> 10	OBSERVATION OF INJURIES	N/A	1	-	-	CULBERSON HAYNE, ANGELA	FEB-10-2010 08:34	APPROVED	-	YES
<a href="#">View</a> 11	SEARCH WARRANT	N/A	2	-	-	CULBERSON HAYNE, ANGELA	FEB-10-2010 08:35	APPROVED	-	YES
<a href="#">View</a> 12	INVENTORY SHEET	N/A	16	-	-	CULBERSON HAYNE, ANGELA	FEB-10-2010 08:35	APPROVED	-	YES
<a href="#">View</a> 13	CRIME SCENE PROCESSING	N/A	1	-	-	CULBERSON	FEB-23-	APPROVED	-	YES

REPORT					HAYNE, ANGELA		2010 15:11			
<a href="#">View</a>	14	PHOTOGRAPH	N/A	13	Photos of [REDACTED]	-	CULBERSON HAYNE, ANGELA	FEB-23-2010 15:15	APPROVED -	YES
<a href="#">View</a>	15	TO/FROM REPORT	N/A	1	Request for Search Warrant	-	CULBERSON HAYNE, ANGELA	JUN-02-2010 09:00	APPROVED -	YES
<a href="#">View</a>	16	SEARCH WARRANT	N/A	24	Search Warrant Package	YES	CULBERSON HAYNE, ANGELA	JUN-09-2010 12:01	APPROVED -	YES
<a href="#">View</a>	17	ILLINOIS STATE POLICE FORENSIC SCIENCE CENTER (REPORT)	N/A	1	Laboratory Report	-	CULBERSON HAYNE, ANGELA	JUN-09-2010 12:03	APPROVED -	YES
<a href="#">View</a>	18	TO/FROM REPORT	N/A	1	Re: Phone Conversation with Witness [REDACTED]	YES	KOBEL, DANIEL	MAR-23-2011 14:57	APPROVED -	YES
<a href="#">View</a>	19	REQUEST FOR INTERVIEW/STATEMENT/REPORT	ACCUSED - GUZMAN, DAVID	2	-	YES	KOBEL, DANIEL	MAR-23-2011 14:58	APPROVED -	YES
<a href="#">View</a>	20	NOTIFICATION OF CHARGES/ALLEGATIONS	ACCUSED - GUZMAN, DAVID	1	-	YES	KOBEL, DANIEL	MAR-23-2011 14:59	APPROVED -	YES
<a href="#">View</a>	21	ADMINISTRATIVE PROCEEDINGS RIGHTS	ACCUSED - GUZMAN, DAVID	1	-	YES	KOBEL, DANIEL	MAR-23-2011 14:59	APPROVED -	YES
<a href="#">View</a>	22	WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL	ACCUSED - GUZMAN, DAVID	1	-	YES	KOBEL, DANIEL	MAR-23-2011 15:00	APPROVED -	YES
<a href="#">View</a>	23	ACCUSED REPORT	ACCUSED - GUZMAN, DAVID	2	-	YES	KOBEL, DANIEL	MAR-23-2011 15:00	APPROVED -	YES
<a href="#">View</a>	24	REQUEST FOR INTERVIEW/STATEMENT/REPORT	N/A	2	From Witness Officers	YES	KOBEL, DANIEL	MAR-23-2011 15:02	APPROVED -	YES
<a href="#">View</a>	25	WITNESS REPORT	OTHER INV. PARTY - [REDACTED]	1	-	YES	KOBEL, DANIEL	MAR-23-2011 15:02	APPROVED -	YES
<a href="#">View</a>	26	WITNESS REPORT	OTHER INV. PARTY - [REDACTED]	1	-	YES	KOBEL, DANIEL	MAR-23-2011 15:11	APPROVED -	YES
<a href="#">View</a>	27	WITNESS REPORT	OTHER INV. PARTY - [REDACTED]	1	-	YES	KOBEL, DANIEL	MAR-23-2011 15:13	APPROVED -	YES
<a href="#">View</a>	28	WITNESS REPORT	OTHER INV. PARTY - [REDACTED]	1	-	YES	KOBEL, DANIEL	MAR-23-2011 15:13	APPROVED -	YES
<a href="#">View</a>	29	WITNESS REPORT	OTHER INV. PARTY - [REDACTED]	1	-	YES	KOBEL, DANIEL	MAR-23-2011 15:14	APPROVED -	YES
<a href="#">View</a>	30	WITNESS REPORT	OTHER INV. PARTY - [REDACTED]	1	-	YES	KOBEL, DANIEL	MAR-23-2011 15:15	APPROVED -	YES
<a href="#">View</a>	31	LETTER TO VICTIM	OTHER INV. PARTY - [REDACTED]	2	-	YES	KOBEL, DANIEL	APR-04-2011 14:56	APPROVED -	YES
<a href="#">View</a>	32	U.S.P.S. (USPS) TRACKING REPORT	N/A	1	-	YES	KOBEL, DANIEL	APR-04-2011 14:56	APPROVED -	YES
<a href="#">View</a>	33	INVESTIGATOR CASE LOG	N/A	1	-	YES	KOBEL, DANIEL	APR-16-2011 05:55	APPROVED -	YES
<a href="#">View</a>	-	SUMMARY REPORT DIGEST	N/A	5	-	NO	OLVERA, MARIA	APR-28-2011 13:41	APPROVED -	YES

row(s) 1 - 34 of 34

**Internal Use Only**

No Internal Use Only attachments available.

**Print Accused Appeal Forms**

No Accused Appeal forms available for this Log No.

**Related Incidents**☒ **TIP** Related Incidents listed below are for reference only. These may be viewed using the related application search screens.

No Related Incidents associated with this Log No.

**Status History**☒ **TIP** Every employee included in the Status History is subject to be called for legal or administrative proceedings.

Resulting Status	Status Date/Time	Created By	Position	Employee No.	Assigned/ Detailed Unit	Comments
CLOSED AT C.O.P.A.	06-MAY-2011 09:00	HENDERSON, PAMELA	CLERK 3	████	113 / -	-
CLOSED/FINAL	06-MAY-2011 09:00	HENDERSON, PAMELA	CLERK 3	████	113 / -	-
PENDING IMPLEMENT ACTION	04-MAY-2011 17:24	PATTERSON, JOSEPH	DEP CHIEF	████	188 / -	-
PENDING COMMAND CHANNEL REVIEW	04-MAY-2011 16:32	O GRADY, JAMES	COMMANDER	████	189 / -	-
PENDING COMMAND CHANNEL REVIEW	04-MAY-2011 07:33	ROWAN, JAMES	SERGEANT OF POLICE	████	119 / -	-
PENDING ADVOCATE REVIEW	03-MAY-2011 08:12	DEBONNETT, ALICE	POLICE OFFICER	████	119 / -	-
PENDING REVIEW INCIDENT (I.A.D./DISTRICT USE)	28-APR-2011 14:11	LOCKHART, BRIAN	CLERK 3	████	113 / -	-
CLOSED AT C.O.P.A.	28-APR-2011 14:10	LOCKHART, BRIAN	CLERK 3	████	113 / -	-
PENDING REVIEW INCIDENT (C.O.P.A. USE ONLY)	28-APR-2011 13:43	OLVERA, MARIA	SUPERVISING INV COPA	████	113 / -	-
PENDING INVESTIGATIVE REVIEW	28-APR-2011 11:32	KOBEL, DANIEL	INVESTIGATOR I COPA	████	113 / -	-
PENDING INVESTIGATION	28-APR-2011 10:50	OLVERA, MARIA	SUPERVISING INV COPA	████	113 / -	-
PENDING INVESTIGATIVE REVIEW	25-APR-2011 14:07	KOBEL, DANIEL	INVESTIGATOR I COPA	████	113 / -	-
PENDING INVESTIGATION	09-FEB-2010 09:10	OLVERA, MARIA	SUPERVISING INV COPA	████	113 / -	-
PENDING ASSIGN INVESTIGATOR	08-FEB-2010 12:38	DUFFY, MICHAEL	COOR /INVESTIGATIONS	████	113 / -	Type Changed from INFO to CR on 08-FEB-2010 12:38 by DUFFY, MICHAEL Affidavit information for this Log Number has changed on 08-FEB-2010 12:38 by DUFFY, MICHAEL
PENDING ASSIGN TEAM	05-FEB-2010 19:07	DEAN, BRUCE	SUPERVISING INV COPA	████	113 / -	-
PENDING SUPERVISOR REVIEW	05-FEB-2010 18:47	DOUGLAS, KHRYSTL	INTAKE AIDE	████	/ -	-
PRELIMINARY	05-FEB-2010 17:07	DOUGLAS, KHRYSTL	INTAKE AIDE	████	/ -	-

row(s) 1 - 17 of 17

**Command Channel Reviewers**

Accused Name	Sequence No.	Reviewer
GUZMAN, DAVID 1		O GRADY, JAMES
GUZMAN, DAVID 2		PATTERSON, JOSEPH

row(s) 1 - 2 of 2

# SUMMARY REPORT DIGEST

## CHICAGO POLICE DEPARTMENT

LOG NO  
1033688TYPE  
CRDATE OF REPORT  
25-APR-2011

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

TO: CHIEF ADMINISTRATOR, INDEPENDENT POLICE REVIEW AUTHORITY

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
KOBEL, DANIEL	9182	136		113	

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS: 8934 S. MARSHFIELD AVE, CHICAGO, IL 60620	DATE / TIME: 05-FEB-2010 12:02	BEAT: 2221
---	--------------------------------	------------

### ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
GUZMAN, DAVID E	9161	12877		005	189	M / S	1972	25-OCT-1999	YES	YES
UNKNOWN						/			YES	UNK

### REPORTING PARTY

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
		CHICAGO, IL		M / BLK	1971 / 39

### VICTIMS

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
		CHICAGO, IL		M / BLK	1971 / 39
		CHICAGO, IL		F / BLK	1942 / 68
		CHICAGO, IL		M / BLK	1983 / 28

### WITNESSES

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
MURPHY, WILLIAM	RANK: 9161, STAR NO: 6066, EMP NO:			M / WHI	1970 / 41
MARTINEZ JR, JORGE	RANK: 9161, STAR NO: 14377, EMP NO:			M / S	1981 / 30
O TOOLE, DANIEL	RANK: 9161, STAR NO: 15346, EMP NO:			M / WHI	1974 / 36
MC KENNA, SCOTT	RANK: 9161, STAR NO: 3942, EMP NO:			M / WHI	1963 / 47
STEC, LAWRENCE	RANK: 9171, STAR NO: 1980, EMP NO:			M / WHI	1961 / 49
MATTHEWS, TAMARA	RANK: 9161, STAR NO: 4640, EMP NO:			F / BLK	1969 / 41

\* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

# SUMMARY REPORT DIGEST

## CHICAGO POLICE DEPARTMENT

LOG NO  
1033688

TYPE  
CR

DATE OF REPORT  
25-APR-2011

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

### ALLEGATIONS

On 05 February 2010, at 1707 hours, [REDACTED] called the Independent Police Review Authority (IPRA) and registered this complaint with Intake Aide Khrystl Douglas, Employee # [REDACTED]. The complainant alleged that on 05 February 2010, at 1230 hours, at 8934 S. Marshfield Avenue, Unknown Officers 1) took \$8000 USC and failed to inventory or return it, 2) stepped on his back and head, 3) slapped a cup of water out of [REDACTED] hand, 4) "slammed" [REDACTED] to the ground, 5) kicked [REDACTED] about the body, and 6) dragged [REDACTED] on the floor.

In a statement to IPRA Investigator David Marshall, #150, on 05 February 2010, at 1940 hours, at 1718 S. State Street, [REDACTED] alleged that on 05 February 2010, at 1230 hours, at 8934 S. Marshfield Avenue, Police Officer David Guzman, #12877, Unit 189, 1) kicked him about the body while he was handcuffed, 2) punched him about the head and body while he was handcuffed, 3) "threw" him into a wall, 4) choked him, and 5) threatened to "fuck him up."

## SUMMARY

\*\*\*SEE PAGE 4\*\*\*

## ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
8	4, 18, 23, 25-30	17	33

## FINDINGS - RECOMMENDATIONS

### FINDINGS:

ACCUSED OFFICER: Police Officer David Guzman, #12877

ALLEGATIONS #1-5: Unfounded

ACCUSED OFFICER: Unknown Officers

ALLEGATIONS #1-6: No Affidavit



IPRA Supervisor

DATE INITIATED  
(Date incident was received for investigation)

09-FEB-2010

DATE COMPLETED (Date of this report)

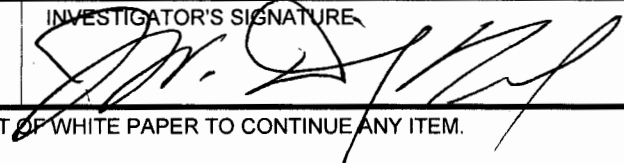
25-APR-2011

ELAPSED TIME  
(Total time expressed in days)

440

Investigator will initiate the Command Channel Review form by  
completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE



IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

INDEPENDENT POLICE REVIEW AUTHORITY

Log #1033688

**INVESTIGATION:**

██████████ refused to provide a statement and cooperate with this investigation. (Att. 18)

In a statement to IPRA, ██████████ stated that on 05 February 2010, at approximately 1230 hours, he was in the bathroom in the basement of his grandmother's home at 8934 S. Marshfield. As ██████████ exited the bathroom, an unidentified male white officer descended the stairs and went towards the bedroom. A second male white uniformed officer moved toward ██████████ uncle, ██████████. The second officer told ██████████ to get on the floor and ██████████ lay on the floor, face down and arms extended. A third officer, now identified as the accused, Police Officer David Guzman, #12877, kicked ██████████ twice on the ribs and punched him twice on the ribs while ██████████ was handcuffed. Officer Guzman stood ██████████ up and asked him where the drugs were. Before ██████████ could answer, Officer Guzman punched ██████████ on the right eye and then "threw" him against a wall. Officer Guzman choked ██████████ as Officer Guzman attempted to obtain information from ██████████. Officer Guzman took ██████████ into the bathroom and threatened ██████████ by saying that he would "fuck ██████████ up." The officers recovered 1/2 pound of cannabis from the residence. An officer took \$1,800 USC out of ██████████ pocket and \$1,500 dollars from his uncle's wallet. (Att. 8)

██████████ did not respond to attempts to contact her via telephone and certified mail. (Att. 31, 33)

Evidence Technician photographs of ██████████ show that, at the time of the photographs, he had a blood-shot right eye. The photographs do not depict any injuries. (Att. 14)

According to ██████████ arrest report, he was the subject of Search Warrant #10SW5348. ██████████ was arrested after the officers serving the warrant recovered suspect cannabis and suspect crack cocaine. The Lockup Keeper Processing section of the Arrest Report indicates that ██████████ right eye was blood shot. (Att. 4)

A Narcotics Investigation Section Supplementary Report completed subsequent to the incident indicates that officers recovered and inventoried \$1300 USC from ██████████ \$282 USC from ██████████ bedroom, and \$1400 USC from ██████████ for a total of \$2982 USC recovered and inventoried. (Att. 16)

Accused Police Officer David Guzman, #12877, Unit 189, provided a To-From-Subject Report in which he stated that he detained/secured ██████████ as ██████████ attempted to discard narcotics in the toilet. Officer Guzman denied the allegations against him and stated that he did not kick, punch, choke, or threaten ██████████. Officer Guzman also stated that he did not throw ██████████ into a wall. (Att. 23)

Witness Police Officer Jorge Martinez Jr., #14377, indicated that he saw ██████████ in the basement bathroom after making entry into the residence and he did not observe Officer Guzman commit any of the actions alleged by ██████████ (Att. 28)

INDEPENDENT POLICE REVIEW AUTHORITY  
Log #1033688

The remaining officers that were present during the execution of the search warrant indicated in separate To-From-Subject Reports that they did not observe any officer have contact with [REDACTED] and did not witness any officer commit the actions alleged by the complaint. The officers that submitted To-From-Subject Reports in that regard were Sergeant Lawrence Stec, #1980; Police Officer Tamara Matthews, #4640; Police Officer Scott McKenna, #3942; Police Officer William Murphy, #6066; and Police Officer Daniel O'Toole, #15346. (Att. 25-30)

**CONCLUSION:**

The Reporting Investigator recommends that the allegations against Police Officer David Guzman, #12877, that he kicked [REDACTED] about the body while he was handcuffed, punched [REDACTED] about the head and body while he was handcuffed, "threw" [REDACTED] into a wall, choked [REDACTED] and threatened to "fuck [REDACTED] up," be UNFOUNDED. [REDACTED] was not injured nor did he make a complaint of injury to Lockup personnel. The available physical evidence does not support the allegations. No officer admitted to seeing the incident as described by the complainant.

The Reporting Investigator recommends that the allegations against Unknown Police officers be closed with a finding of "Closed-No Affidavit." Several attempts were made to have the complainant sign the Sworn Complaint Affidavit required by Illinois Uniform Peace Officers Disciplinary Act and advising him that failure to do so may result in the termination of this investigation. The complainant refused to sign the Sworn Affidavit.

Should the complainant sign the Sworn Affidavit or additional information become available, this investigation can be re-opened.